

EXHIBIT 7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,)
)
Plaintiff,)
) Case No.
vs.) 3:17-cv-000939-WHA
)
UBER TECHNOLOGIES, INC.;)
OTTOMOTTO LLC; OTTO TRUCKING,)
INC.,)
)
Defendants.)
_____)

*** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***

VIDEOTAPED DEPOSITION OF JAMES HASLIM
San Francisco, California
Wednesday, August 9, 2017
Volume III

Reported by:
CARLA SOARES
CSR No. 5908
Job No. 2675900

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1 did to recover this document that you're unable to 11:26:58
2 identify at Uber?

3 A No.

4 Q Do you have any understanding as to
5 whether or not this process was done across all 11:27:07
6 files that were potentially damaged that were moved
7 from Otto to Uber?

8 A No.

9 Q Were you issued a litigation hold in
10 relation to this case? 11:27:23

11 A Yes.

12 Q Do you recall when that litigation hold
13 was issued?

14 A No.

15 Q Was it before you joined Uber? 11:27:30

16 A No.

17 Q So you were issued a litigation hold only
18 after you joined Uber, correct?

19 A Yes.

20 Q No litigation hold was issued to Otto, 11:27:42
21 correct?

22 A Correct, as far as I'm aware.

23 Q Do you believe that the litigation hold
24 you were issued while you were at Uber was before or
25 after the pivot from Spider to Fuji? 11:27:59

1	A I believe it was after.	11:28:04
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2 Q And prior to the litigation hold being
3 issued, do you believe that there were documents
4 that were deleted relating to LiDAR development?

5	A	It's possible, but I don't know.	11:28:22
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6 Q You can't say for sure that such documents
7 were not deleted, can you?

8 MR. KIM: Objection. Form.

9 THE WITNESS: I cannot say that files were
10 not deleted before that litigation hold. 11:28:34

11 BY MR. SCHMIDT:

12 Q When did you first meet Anthony
13 Levandowski?

14	A	I don't remember. I was -- I believe it	
15		was when I was working with Velodyne, but I don't	11:28:44
16		remember the dates.	

17 Q And in what context did you meet
18 Mr. Levandowski?

19	A	It was within the context of my being an	
20		engineer for Velodyne and Anthony Levandowski being	11:28:55
21		a customer of Velodyne.	

22 Q So you believe that when you first met
23 Anthony Levandowski, Mr. Levandowski was affiliated
24 with Google; is that correct?

25 | A That's my understanding, yes. 11:29:14

1 Q And do you have any recollection as to 11:29:17
2 what Mr. Levandowski was seeking from Velodyne in
3 relation to these communications?

4 A I don't know what all he was seeking, but
5 I recall we had a meeting to discuss potential 11:29:38
6 requirements that Google might like to see on a
7 LiDAR sensor.

8 Q Can you identify the time frame that these
9 conversations may have occurred?

10 A No. 11:30:00

11 Q Did you develop a personal relationship
12 with Mr. Levandowski at this time?

13 MR. KIM: Objection. Form.

14 THE WITNESS: I would say it was after.

15 BY MR. SCHMIDT: 11:30:15

16 Q At what time did you develop a personal
17 relationship with Mr. Levandowski?

18 A I would say I developed a personal
19 relation with Mr. Levandowski after I began working
20 for Odin Wave. 11:30:25

21 Q So your contact with Mr. Levandowski at
22 Velodyne did not contribute to your joining Odin
23 Wave?

24 MR. KIM: Objection. Form.

25 THE WITNESS: Could you be specific in 11:30:44

1 Q Did it make sense, the way I state it, at 11:38:21
2 the time?

3 MR. KIM: Objection. Form.

4 THE WITNESS: I'm trying to remember what
5 I was thinking at the time, which is -- I don't 11:38:31
6 recall the details, but it seemed if somebody had
7 stated a theory that it was regarding this change of
8 part. I didn't understand the need for this change,
9 but I don't remember if it made sense at the time or
10 not regarding your theory -- 11:38:49

11 BY MR. SCHMIDT:

12 Q But --

13 A -- to conceal Odin Wave.

14 Q But at least now you would agree with me
15 that the name change may have been for purposes of 11:39:01
16 concealing the existence of Tyto LiDAR, correct?

17 MR. KIM: Objection. Calls for
18 speculation.

19 THE WITNESS: Repeat the question, please.

20 BY MR. SCHMIDT: 11:39:22

21 Q My understanding of your testimony is that
22 sitting here today, you would agree with me that
23 Odin Wave's changing its name to Tyto LiDAR was for
24 the purposes of concealing its identity, correct?

25 MR. KIM: Objection. Calls for 11:39:37

1 speculation, mischaracterizes testimony. 11:39:38

2 THE WITNESS: It's possible. Maybe, yes.

3 BY MR. SCHMIDT:

4 Q Who did you hear -- strike that.

5 Who told you that Odin Wave had ordered a 11:39:53

6 part that resembled a part supplied to Google?

7 A I'm not sure.

8 Q You can't remember?

9 A I'm not sure.

10 Q When you heard this fact, did it concern 11:40:08

11 you?

12 MR. KIM: Objection. Assumes facts not in

13 evidence.

14 THE WITNESS: No.

15 BY MR. SCHMIDT: 11:40:15

16 Q You knew at this time that Anthony

17 Levandowski was an employee of Google, correct?

18 A Yes.

19 Q Did you ever consider that Anthony

20 Levandowski might be infecting Odin Wave's 11:40:26

21 technology with Google confidential information?

22 MR. KIM: Objection. Form.

23 THE WITNESS: No.

24 BY MR. SCHMIDT:

25 Q You never considered that possibility? 11:40:39

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1	A No.	11:40:40
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2 Q Even after you heard that a part had been
3 ordered for Odin Wave resembling a part that was
4 supplied to Google, correct?

5	A	Correct.	11:40:54
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6 Q Sitting here today, do you have any
7 concerns that the technology developed at Tyto LiDAR
8 may have been infected by Anthony Levandowski with
9 Google confidential information?

10	A No.	11:41:18
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11 Q You don't believe that occurred?

12	A	Correct.
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13 Q And what is the basis for that belief?

14 A My basis for that belief is the -- my
15 involvement with the development of the technology 11:41:34
16 at Tyto LiDAR and my belief that I did not receive
17 any confidential information from Anthony
18 Levandowski.

19 Q But Mr. Levandowski provided input to the
20 designs at Tyto LiDAR, didn't he? 11:41:52

21 MR. KIM: Objection. Form.

22 THE WITNESS: Anthony Levandowski did
23 provide input of a general concept nature,
24 information that I believe would be publicly
25 available. 11:42:09

1 BY MR. SCHMIDT: 11:42:10

2 Q How do you know that amongst the input
3 that Anthony Levandowski was providing to you during
4 your work at Tyto LiDAR -- strike that.

5 With regards to the input that 11:42:29
6 Mr. Levandowski provided to you at Tyto LiDAR, how
7 do you know that it did not involve Google
8 confidential information?

9 A As I recall the information he provided,
10 for instance, of fiber laser architecture, I was 11:42:53
11 able to find similar information online.

12 Q Did Mr. Levandowski provide you any
13 information other than fiber laser architecture?

14 A I'm trying to remember. It's vague. He
15 also provided insight into an optical circulator. 11:43:30

16 Q Anything else?

17 A I don't recall.

18 Q You can't recall whether or not Anthony
19 Levandowski provided input into any other LiDAR
20 development concepts other than the ones you've 11:43:55
21 stated here, correct?

22 A Correct.

23 Q And yet you're sure that Anthony
24 Levandowski's input could not have infected Tyto
25 LiDAR with Google's confidential information, 11:44:10

1 correct? 11:44:11

2 A I do not recall anything that he provided

3 that I could have considered confidential

4 information.

5 Q You don't have any knowledge of Google's 11:44:22

6 confidential information, do you?

7 A No.

8 Q Then how would you know whether or not the

9 input he was providing relating to -- related to

10 Google's confidential information? 11:44:33

11 A I'm basing it on my belief of the

12 information relating to publicly available

13 information.

14 Q With respect to the input that Anthony

15 Levandowski provided, did you do an analysis to 11:44:45

16 determine whether or not it was in the public domain

17 on an input-by-input basis?

18 A I don't recall if I've done that for

19 everything, but I believe it ended up occurring that

20 way. 11:45:05

21 For instance, in my research to make the

22 fiber laser, I came across documents showing me

23 architectures that were similar, realizing that an

24 optical circulator, which I had not previously been

25 familiar with, was an off-the-shelf component. 11:45:20

1 I would say I was able to determine those 11:45:27
2 are not confidential information.

3 Q But you can't sit here today and testify
4 that everything that Anthony Levandowski told you
5 while you were at Tyto LiDAR was in the public 11:45:39
6 domain, can you?

7 A No, I can't, other than to say it seemed
8 like just general concept information.

9 Q But you're not sure, are you?

10 A I have no reason to believe otherwise, but 11:46:01
11 I suppose I can't be more sure than that.

12 Q You're not sure, are you?

13 MR. KIM: Objection. Asked and answered.

14 THE WITNESS: I guess I am not sure, but I
15 have no reason to believe otherwise. 11:46:22

16 BY MR. SCHMIDT:

17 Q This fiber laser architecture, which you
18 stated that you believed was in the public domain,
19 how does that differ from the fiber laser
20 architecture that you testified earlier today that 11:46:36
21 you thought was potentially patentable at Uber?

22 A The design I was discussing as being
23 potentially patentable at Uber was not a fiber laser
24 but a fiber amplifier, which would be considered a
25 simplification of a part of that architecture. 11:47:01

1 Q How was the fiber amplifier that you 11:47:07
2 potentially considered patentable at Uber a
3 simplification of the architecture that Anthony
4 Levandowski suggested to you at Tyto?

5 MR. KIM: Objection. Form. 11:47:22

6 THE WITNESS: It's a simplification in
7 that it would involve the first handful of
8 components and remove the seed component.

9 BY MR. SCHMIDT:

10 Q How would the amplifier that you were 11:47:42
11 considering at Uber remove the seed component?

12 A The seed becomes a signal that is
13 amplified in a fiber laser. But for a fiber
14 amplifier, you would have to eliminate that source
15 and replace it with a signal of your own. 11:48:06

16 Q And you believe that this elimination of
17 the source and replacement with a signal of your own
18 resulted in a simplification that was potentially
19 patentable for Uber, correct?

20 MR. KIM: Objection. Form. 11:48:29

21 THE WITNESS: Regarding "potentially
22 patentable at Uber," I was only considering the use
23 of a fiber amplifier, not that a fiber amplifier is
24 a simplification of a fiber laser.

25 /// 11:48:45

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
before me at the time and place herein set forth;
5 that any witnesses in the foregoing proceedings,
6 prior to testifying, were administered an oath; that
7 a record of the proceedings was made by me using
8 machine shorthand which was thereafter transcribed
under my direction; that the foregoing transcript is
9 a true record of the testimony given.

10 Further, that if the foregoing pertains to
11 the original transcript of a deposition in a Federal
12 Case, before completion of the proceedings, review
of the transcript [X] was [] was not requested.

13 I further certify I am neither financially
14 interested in the action nor a relative or employee
15 of any attorney or any party to this action.

IN WITNESS WHEREOF, I have this date
16 subscribed my name.

17
18 Dated: August 10, 2017
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24 CARLA SOARES

25 CSR No. 5908